

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MIGUEL MALDONADO,	)	CASE NO. C05-0852-JLR-MAT
	)	
Petitioner,	)	
	)	
v.	)	ORDER OF TRANSFER TO THE
	)	UNITED STATES COURT OF
MICHAEL CHERTOFF, et al.,	)	APPEALS FOR THE NINTH
	)	CIRCUIT AS A PETITION FOR
Respondents.	)	REVIEW
	)	

The Court, having reviewed petitioner's 28 U.S.C. § 2241 petition (Dkt. #1), all papers and exhibits in support and in opposition to that petition, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) This Court is without jurisdiction to consider petitioner's challenge to his removal order. Accordingly, this action is hereby TRANSFERRED to the United States Court of Appeals for the Ninth Circuit as a Petition For Review pursuant to § 106(c) of the REAL ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231.
- (3) The Clerk is directed to TERMINATE this case and TRANSFER all pleadings and related documents, including petitioner's habeas petition (Dkt. #1) and petitioner's pending motion for stay of removal (Dkt. #10), to the Ninth Circuit

01 Court of Appeals. The Clerk shall, however, retain a copy of the Court's  
02 electronic file. The Clerk is further directed to send copies of this Order to all  
03 counsel of record, and to Judge Theiler.

04 DATED this 30th day of July, 2005.

05 s/James L. Robart

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07 JAMES L. ROBART  
08 United States District Judge  
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